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March 3, 2016

State Representative Ben McGorty
State Representative David Labriola
Connecticut House Republican Office
Legislative Office Building Room 4200
Hartford, CT 06106

RE: Judiciary Committee Action the Act Concerning Consent Orders of the DEEP

Dear Representative McGorty and Representative Labriola:

As distinguished members of the Connecticut General Assembly's Judiciary Committee, I am writing to express the Chamber's support of An Act Concerning Consent Orders of the DEEP, which is now before the Committee for consideration during this Legislative Session.

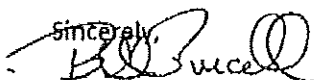
As you know, the Greater Valley Chamber of Commerce has long been a strong advocate in promoting quality economic growth and development in our region and throughout our state. Toward that end, we have been mindful of the need for regulatory agencies such as the DEEP to be fair and transparent in their dealings with citizens, including businesses.

Recently, in a Superior Court case of *Commissioner v. BIC Corporation*, Docket Number HHD CV-11-6026501-S, DEEP unilaterally revoked the agreement it entered into with BIC Corporation, called a consent order under agency rules. It apparently did this to avoid the Court deciding a dispute as to the requirements of the Order. Not only did that decision deny BIC its day in court, it throws into question countless existing consent agreements and creates unwarranted mistrust among businesses and property owners about entering agreements with the agency in the future.

As a voluntary business association serving the "All-America City" Naugatuck Valley region of Connecticut, the Greater Valley Chamber of Commerce strongly believes that DEEP should not have the authority to revoke consent orders unilaterally. Rather, public policy should encourage resolution of disputes by agreements which are binding on both sides. The amendments proposed in this bill would provide businesses across the state with a more level playing field; one that is fair, predictable and necessary to foster companies' willingness to invest in agreed-to solutions with the agency. Allowing DEEP the power to unilaterally cancel agreements would only further Connecticut's growing reputation of being "business unfriendly."

On behalf of the Board of Directors of the Chamber, I urge you and the members of the Judiciary Committee to support this bill, a copy of which is attached for your information and review. And in the spirit of regional cooperation and collaboration, I have taken the liberty of copying the members of the Valley Legislative Delegation as well.

Thank you for your consideration and support for this important proposed legislation.

Sincerely,

Bill Purcell, President

cc: Valley Legislative Delegation

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